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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HALCYON HORIZONS, INCORPORATED,
a California corporation, d/b/a ELEVATE
ADDICTION SERVICES.

Plaintiff,

V.

DELPHI BEHAVIORAL HEALTH GROUP, LLC, a Delaware corporation, and ELEVATE RECOVERY, LLC, a Delaware corporation, d/b/a ELEVATE RECOVERY CENTER.

Defendants.

Case No. 3:17-cv-1886-JST

Related Case No. 3:17-cv-00756-JST

**STIPULATION REQUESTING ORDER
ON BRIEFING AND HEARING
SCHEDULE ON PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION
(D.I. 12) AND DEFENDANTS' MOTION
TO DISMISS (D.I. 29)**

1 Pursuant to L.R. 6-2, Plaintiff Halcyon Horizons, Incorporated d/b/a Elevate Addiction
2 Services (“Plaintiff”) and Defendants Delphi Behavioral Health Group, LLC and Elevate Recovery,
3 LLC (“Defendants”) jointly request the Court enter the following briefing and hearing schedule on
4 Plaintiff’s Motion for Preliminary Injunction (D.I. 12) and Defendants’ Motion to Dismiss (D.I. 29)
5 as follows. Because the deadline on Defendants’ Opposition to the Preliminary Injunction Motion is
6 today, the parties condition this stipulation on an order being entered before 6 p.m. today.

7 The proposed stipulated dates would consolidate the hearing on these two motions, which are
8 presently set for June 15 and June 22, respectively, on June 22, 2017. The proposed and agreed-
9 upon schedule, if approved by the Court, is:

- 10 • Defendants’ Opposition to the Preliminary Injunction Motion shall be filed on or
11 before May 15, 2017.
- 12 • Plaintiff’s Reply in support of the Preliminary Injunction Motion shall be filed on or
13 before June 1, 2017.
- 14 • Plaintiff’s Opposition to the Motion to Dismiss shall be filed on or before June 1,
15 2017.
- 16 • Defendants’ Reply in support of the Motion to Dismiss shall be filed on or before
17 June 8, 2017.
- 18 • Hearing shall be set on both the Preliminary Injunction Motion and the Motion to
19 Dismiss on June 22, 2017, at 2:00 p.m.

20 The parties also jointly agree and request that the Court enter an order enlarging the page
21 limit for Plaintiff’s Reply in support of the Preliminary Injunction Motion to 25 pages. **Given the**
22 **new briefing schedule, however, the Court encourages the parties to consider whether the**
23 **standard page limits are sufficient.**

24 Defendants agree that they will not assert that Plaintiff’s agreement to this stipulation
25 constitutes further delay in seeking relief on its Preliminary Injunction Motion.

26 The parties are currently discussing possibilities for settlement and a continuance of the
27 briefing dates, as proposed below, may better facilitate such resolution. Because the deadline on
28

1 Defendants' Opposition to the Preliminary Injunction Motion is today, the parties condition this
2 stipulation on an order being entered before 6 p.m. today.

3

4

5 Dated: May 4, 2017

6 By: /s/ Jennifer Seraphine
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11 TURNER BOYD LLP

12 Attorneys for Plaintiff

13 By: /s/ Seth A. Gold

14 Seth A. Gold
15 Rebecca Liu
16 Peter E. Soskin
17 K&L GATES LLP

18 Attorneys for Defendants

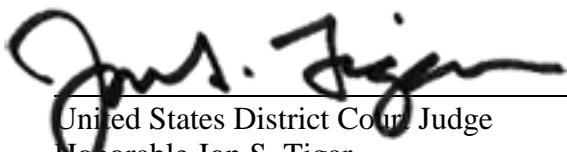
19 **ATTESTATION REGARDING SIGNATURES**

20 Pursuant to Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I
21 have permission to sign for counsel for Defendants.

22 SO ORDERED:

23 Jennifer Seraphine

24 Dated: May 4, 2017

25 
26 United States District Court Judge
27 Honorable Jon S. Tigar